

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit: 1634
Kathryn Nace North) Confirmation No.: 1014
Serial No.: 10/527,831) Examiner: Steven C. Pohnert
Filed: January 9, 2006)
Atty. File No.: 5517-19)
Entitled: "ACTN3 Genotype Screen for Athletic) INFORMATION DISCLOSURE
Performance") STATEMENT
) Electronically Submitted

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

- Copies of the cited non-patent and/or foreign references are enclosed herewith.

Copies of the cited U.S. patents and/or patent applications are enclosed herewith.

Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with 37 C.F.R. § 1.98(a).

Copies of the cited references are not enclosed, in accordance with 37 C.F.R. § 1.98(d), because the references were cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

Examiner's attention is drawn to the following related applications:

Serial No. _____ filed _____ (Attorney's Ref. No. _____)

Serial No. _____ filed _____ (Attorney's Ref. No. _____)

Other: _____

Submission of the above information is not intended as an admission that

is citable under the statutes or rules to support a rejection, that any item disclosed

represents analogous art, or that those skilled in the art would refer to or recognize the

pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

Respectfully submitted,

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By:


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